App F IX-4

1955-56
(CM)

File No 4-55-

Serial Nos 21, 22, 25

Previous References

DNE 23-47-22 24
DTB 1-51-27 28 29
ME 93-47-3, 4
ME 23-46-40-42
CM 6-52-72, 73
CM 6-52-109, 110

Letter References
4 SJ 88

MYSORE GOVERNMENT SECRETARIAT

Serial Nos Three

C-55-E-1C

Part B for May 1955

SUBJECT

Appeal Petition from Sriyuts Ramiah and Lakshmiah 6, Padarayana Gudde, Mysore, Bangalore, against acquisition of lands in S No 59 of Jodi Kempapura grahara

WD 06701—GPB—25 000—11 8 54

Sriyuts Ramiah and Lakshmiah
thro' the Counsel, Sri R Anantharamaiah B Sc
Advocate Bangalore
L 1580/ Dated 12 5 55
Informs that the orders have been
issued to the Comm" C C B for withdrawal
from acq" or to reconvey the lands

Ramakrishnaiah
23/5/55

Mysore Government Secretariat | 1259/ml File No | of 195 | (1) | [App F 111 2

Serial No

Petition dated 6-5-54
from D Ramesh, Lakshmiah 76 Padarayana
Gudde, Kyare Road Blr appealing
against the acquisition S No 59
of Jodi Kempapura Agrahara for Muslim
burial ground —

1) Orders of the Minister LSG
" L S G Secretary, I will inspect the spot
in this week "
(Sd) J C
6 5 54

OFFICE OF THE MINISTER FOR
PUBLIC HEALTH AND LOCAL SELF GOVERNMENT

2) urgent 20 5 1954

Petition of Sris Ramesh and Lakshmiah
regarding acquisition of certain lands in
S No 59 of Jodi Kempapura Agrahara for
Muslim burial grounds

21 MAY 1954

The Minister will inspect the
lands on 23 5 54 at 9 am The Corporation
Commissioner and the Health officer as also
the Mayor may be requested to meet the
Minister at his residence + accompany him

The relative secret file of papers
may please be put up for reference

V Shankaranappa
PA

Note — Contn Sheet

Asst Secy, ME) Mr 6/5 21/5

Appeal against acquisition SRN 59, Jakkenahalli Agrahara for Kudlu Bansal Improvement

(1) File No 1259/ME of 195

Mysore Government Secretariat

Serial No

To

The Commissioner Cauvery Region Mysore
1858/E dt 21-5-54
Calls for report & to be returned

Rec'd

3) The Records of the Corporation Office and the Executive Officer dtd 23-4-24 leading to the acquisition are put up for perusal as required at Para 2

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
22 MAY 1954
No 859

24/5 4) No paper is forthcoming before Govt therefore the file and the records of final orders have been issued is enclosed for kind perusal After inspection of the Spot by the Honourable Minister Note will be submitted examining the points raised in the appeal petition

Personal Assistant to Minister for H-SG) 22/5

5) Returned to the Asst Secy MI) 25/5/54

24/5

6) For orders Minister

WD 04861—GPB—60 000—22-1 54

(3) Appeal against the requirement given by the Executive Asst

Mysore Government Secretariat | File No. 1259/ACC 2538 (3) of 195 | App F III 2

Serial No	
	any Respondent may be called for forthwith — Commissioner CCA on any occasion has been carried after Secy withdrawn by the Minister on 23-5-54 — Re 25/5/54 » Call for a report requesting the Comr to intimate the decision arrived at on the spot 25/5 Sec 25/5
8	Draft letter is for approval Re 5/6 Sec 8/6 To the Commissioner CCA L 2201 dated 16 6 54 Calls for the report 21/6/54 Sec
	To the Executive CCA Lr No SL A 9/47-48 a 2 7-54 Calls for the records
10	A draft letter is prepared requiring the records as required for approval Re 7/7 Sec 10/7 To the Executive CCA L 4467 dt 22 7 54 returns the records Issue 13/7 Note Orth Sheet 22/7/54

Issue 14/6

(4) Appeal against the acquisition of Sy No 59 by the Corporation

File No 1259/Rel 25385 of 195 3461/Rel

Mysore Government Secretariat

Serial No		
	b) The Commissioner C&R Letter No S L A 9/47-48 dt 5 8 48 forwards a report	
	b) The grounds of appeal and the report of the Commissioner are analysed as follows	
	Grounds of appeal	Extracts from the report
	i) The Petitioners contend that the Commissioner has erred in acquiring only a Portion (1a-34g) as against the Whole Survey Number (59) Which measures (9a 2g) (Page 3 g c)	It is stated that as the acquisition Proceedings have been delayed by the Government many Private encroachments have been built up on the area & as the Cost of acquisition will be heavy right to acquire the buildings as well as the lands, the Corporation had Proposed to acquire only a Portion measuring 1a + 34g for extending Muslim Burial Ground (Page 16) 9 c
		Office note (Illegible) Sanction has been accorded in G O dated 23-9-47 to acquire Sy No 59 Which measures 9-2 Acres unauthorised Constructions have come up the Corporation wants to acquire now only 1-34 Acres ~~is entitled~~ for extending Muslim Burial Ground It appears that the Petitioners order has to be interfered and fresh order is necessary to acquire a Portion

WD 04861—GPB—60 000—22-1 54

Appeal against the acquisition of Site 59 required for Hashim Burial Ground (5)

Mysore Government Secretariat | File No. 1259/2538/3601/RE of 195 | [App F III 2

Grounds of appeal	Serial No	Answer from the Respondent	Other note
That the Commissioner has erred in not Considering that the burial ground should be just by the side of the Shelling houses at Padarayana Gutta (Page 3 9 C)		Except the petitioners all have given possession and there is no other suitable land for extending the burial ground Hence the objection is not tenable (Pag 18 9 C)	No objection that the burial ground should be the Residential quarters points to be decided by spot inspection
That the Commissioner has not Considered if there is suitable land and acted by		It is stated that there is no suitable land (Page 18 9)	It is also to be determined by the Inspection
That the Commissioner has not taken into Consideration the Boothistine Cost of the acquisition land		No answer	The Parties may claim higher Compensation in the Court of Law
That the acquisition may be dropped			For Consideration

The Remarks for Leg & P H

Note—Contn She

5) Appeal against the acquisition of SW: 59 required for Kaatyam Burial ground B Lady

File No 1259 / 2538 / 34681 / RE of 195

Mysore Government Secretariat

Serial No

Has already inspected the spot the Parkis have appealed to Government through this Counsel for orders with reference to their petition dt 1/7 Sept

Dy 18/8/54 Spl 20/8

14) The only question that can be given is that a fresh notification is necessary to acquire a small portion of S no and that the previous notification has to be withdrawn But, I think, Spot inspection by the Hon Minister may make the matters very clear

Secy Dept) 29/8

15) The note of the Commissioner gives all the fact of the case The Minr has inspected the spot on 23/5/54 Only the minimum extent of land required has been acquired after observing all formalities There is no need for us to interfere now The petition may be rejected

G V K Rao 2/9

Minister) 16) I have not yet inspected the spot

14/9/54 P A to Minister Dept

17) 15/9/54

OFFICE OF THE MINISTER FOR PUBLIC HEALTH LOCAL SELF GOVERNMENT 2 SEP 54 No 2344

OFFICE OF THE MINISTER FOR PUBLIC HEALTH LOCAL SELF GOVERNMENT 16 SEP 54 No 2327

WD 04861—GPB—60 000—22-1 54

Appeal against the acquisition of S No 59 by the Corporation for Muslim Burial ground

Mysore Government Secretariat | File No. 3461/Sec 6 of 195 | [App F III 2 (7)

Serial No 18)

On 20th April 1955, I inspected the land in S No 59 of Jodi Kempapur village the acquisition of which for extending the Muslim burial ground has been sanctioned by Government The Mayor, the Corporation Commissioner, the Corporation Engineer and the Corporation Health Officer were present Twenty nine persons have shares in the acquired extent measuring in all 1 acre 34 guntas and some of them are reported to have handed over possession of their shares large number of residential buildings have come up in S No 59 and these buildings abut the area acquired for the burial ground Another residential locality known as Padarayanagutte is also in close vicinity of the land The residents of the locality strongly object to extending the burial ground in S No 59 Having regard to the existence of a large number of dwelling houses in the locality, the land now acquired is most unsuitable for burial purposes It is also undesirable to have a burial ground in close vicinity of dwelling houses] The acquisition ordered is cancelled If withdrawal from acquisition is not possible, such of the portions of the land which have been taken possession of may be reconveyed to the owners The Commissioner, Bangalore City Corporation may be requested to take necessary further action in the matter

21/4/55

21 APR 55 MYSORE

Note — Contn Sheet

Appeal against the acquittal 7/8 No 59 regarding
for Kudum Burial Ground, Beigi Padaraiyanpalle

File No 3461/7247 (E) of 195 | Mysore Government Secretaria

Serial No

20) Draft letter as for approval
Re 23/4 25/4

21) Issue
M 23/4

To
The Commissioner C&S
1328/Ex 4-55-22 dt 2-5-55
Direct to recently to land
to the owners as ch is wanted for
Burial ground-

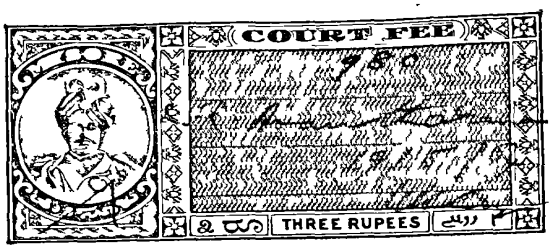
22) Draft endorsement to Hen
Pandy is put up
Re 2/5 7/5

23) Issue
M
11/5

Sri yuths Ramaiah and Lakshmaiah
Thro the Counsel
Sri R Anantharamam,
BSc, LtB,
Advocate No 119
Chickpet Bangalore 2
L 1580/Sm dt 10-5-55
12 5 55

Memo as L 1581 dt 12 5-55
To Commissioner C&S

In the Court of



Munsiff Jodhpur

No of 195

Plaintiff/Appellant/Petitioner Decree Holder/Claimant		Defendant/Respondent Judgment Debtor
Ramiah & another	Vs	Commissioner

appellants above named do by these presents retain

Sri R Manjunath BSc LLB
Advocate, 1169, Chickpet, Bangalore

to appear and conduct the above case on my/our behalf to judgment

2 I/We further empower him/them to appear plead file petitions enter into compromise and do all necessary acts in the above case to execute any decree or order that may be passed in my/our behalf to prefer an appeal from any order judgment and to receive from the Court all the documents refunds and all sums of money that I/We may be entitled to get and grant receipts therefor and to effect compromise or settlement

3 I/We also undertake to confirm and ratify all the acts done by any of the said Advocates or by any other Advocate or Pleader on his/their behalf in so doing

4 I/We further agree that if I/We fail to pay the fees agreed upon or to give due instructions at proper stages he/they are at liberty to retire from the case and recover all dues due to him/them

Thimmaiah

Blore
19 5 1956

Accepted

personally known to me and signed in my presence

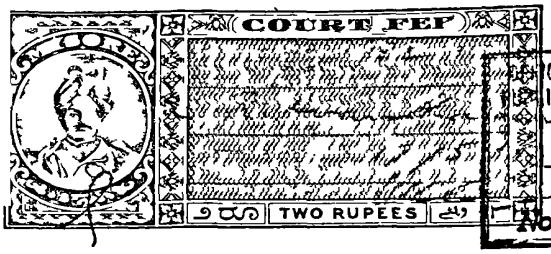
R Manjunath

RM
19/5

Advocates for applt

Sold at

Legal Practitioners Co operative Society Ltd Bangalore



1259
21 MAY 1954
OFFICE OF THE MINISTER FOR
HEALTH & LOCAL SELF
GOVERNMENT
20 MAY 1954
No. 316

BEFORE THE GOVERNMENT OF MYSORE, BANGALORE

(Before the Hon'ble Minister for Local Self Government)

Land Acquisition Appeal No of 54-55

Appellants

1 Pamiah son of Nanjundappa, aged 40 years, Vokkaligar

2 Lakshmiah, son of Nanjundiah, aged 35 years, Vokkaligar

Both residing at No 76 Padmarayana Gutte, Mysore Road, Bangalore

VS

Respondent

Commissioner, Corporation of the City of Bangalore Bangalore

LSG Secy
I will inspect the copy within this week
19/5/54

The appellants beg to prefer this appeal against the order of Acquisition No notified in the Official Gazette dated acquiring one acre and 34 guntas in S o 59 of Jodi Kempapura Agrahara for the purposes of Muslim burial ground, and prays that the records of the lower court (Office) be called for and the appellants be heard and the acquisition be dropped in the interests of justice

Facts of the case

The appellants are the owners of S No 59 of Jodi Tempapura Agrahara, which consists of about 9 acres and 2 guntas The above survey number is adjacent to Padarayanagutta, Mysore Road, Bangalore City Originally the Corporation thought of acquiring the whole survey number for the purposes of Muslim Burial Ground Later on on 5-11-1953, the Corporation issued notice to the appellant that only one acre and 34 guntas would be acquired for the above purpose, since some unauthorised constructions have come up on the rest of the land in the above survey number Hence this appeal

GROUNDS OF APPEAL

1 That the learned Commissioner, Corporation of the City of Bangalore, erredin acquiring a part of the whole survey number which was originally notified to be acquired by him

2 That the learned Commissioner erred in not considering that the burial ground wouldbe just by the side of the dwelling houses at Padarayanagutta, that he has ignored the representation of the residents of the locality

3 That the learned Commissioner has not considered that there is suitable land for the burial ground nearby

4 That the learned Commissioner has not taken into consideration of the prohibitive cost of the acquisition of the schedule land,

(4)

which can be converted into building site

5 Wherefore the appellants most respectfully pray that the acquisition be dropped

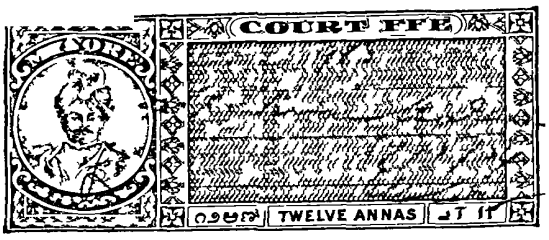
Lingaraj

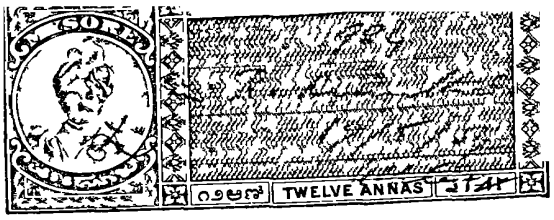
Bangalore,

19-5-1954 Advocate Appellants

R Narasimhan

Advocate for Appellants





BEFORE THE GOVERNMENT OF MYSORE AT BANGALORE

Before the Hon'ble Minister for Local Self Government

Land Acqn Appeal No of 54-55

Appellants		Respondent
1 Ramiah 2 Lakshmiah	VS	The Commissioner, Corporation of the City of Bangalore

STAY APPLICATION

The appellants have this day preferred an appeal against the order of acquisition No notified in the official Gazette dated acquiring one acre and 34 guntas in S No 59 of Jodi Kempapura Agrahar for the purposes of Muslim burial Ground

2 The grounds made out in the Memorandum of appeal be read as part and parcel of this application

3 That the residents of Padarayanagutta have represented in writing protesting against the extension of the Muslim Burial Ground to their doors by acquiring the schedule lands
4

4 That behind the back of the appellants steps are taken in C C No 225 of 54 on the file of the First City Magistrate to take possession of the schedule property The copy of the notice is herewith produced

5 That if the stay is not granted the appellants would be put to irreparable loss and injury

6 Wherefore the appellants humbly pray for an ad-interim order of stay, staying further proceedings pending disposal of this appeal

Bangalore,

Dated 19th May, 1954

Appellant

R Narasimha

Advocate for Appellants

BEFORE THE GOVERNMENT OF MYSORE AT BANGALORE

Before the Hon'ble Minister for Local Self Government

Land Acqn Appeal No of 54-55

Appellants		Respondent
1 Ramiah 2. Lakshmiah	VS	The Commissioner, Corporation of the City of Bangalore

STAY APPLICATION

The appellants have this day preferred an appeal against the order of acquisition No notified in the official Gazette dated acquiring one acre and 34 guntas in S No. 59 of Jodi Kempapura Agrahar, for the purposes of Muslim Burial Ground

2 The grounds made out in the Memorandum of appeal be read as part and parcel of this application

3 That the residents of Padarayanagatta have represented in writing protesting against the extension of the Muslim Burial Ground to their doors by acquiring the schedule lands.

4

4. That behind the back of the appellants steps are taken in C C No 225 of 54 on the file of the First City Magistrate to take possession of the schedule property The copy of the notice is herewith produced.

5 That if the stay is not granted the appellants would be put to irrepareble loss and injury

6 Wherefore the appellants humbly pray for an ad-interim order of stay, staying further proceedings pending disposal of this appeal.

Bangalore,
Dated 19th May, 1954. Appellant.

Copy
RN 19/5

Advocate for Appellants

P G S. App. F G 3.

MYSORE GOVERNMENT
SECRETARIAT

(Continuation sheet draft form)

L 1858/2 21-5-57(9)

Sub Appeal petition
from Sri Ramiah,
Lakshmiah 76 Sadasivana
Gudde Agrahara Road, Blore
Kumpl thro Counsel Sri
R Anantharamaiah Advocate
Bangalore against the
assessment of 9 cents land
& Govt Kempabudhi Sanctuary
for Muslim Burial ground

To
The Commissioner cum
Chief Executive Officer
Mysore City Corporation
Sir

I am directed
to forward herewith
copy of the petition
referred to above and
to request that

WD 03 46—CPB—10 000—14 8 53

The Member for [illegible]
has been pleased to inspect
the above spot on
23-5-52 at 9 a.m.

The Mayor Commissioner
and the Health Officer are
requested to meet the Minister
at his residence at 8 a.m.
to accompany him for inspection
aforesaid. A
Report may kindly be
furnished together with
the matter by tomorrow noon 10 o'clock

9/5

Asst Secretary

M G S App F G 3

MYSORE GOVERNMENT
SECRETARIAT

(Continuation sheet draft form)

2841
16-6-54

To the Commissioner Ccb
Copy to the Mayor
&
Lbl Appeal petition from
Sri Ramiah & Lakshmiah
76 Basavanagudi, Nagarabhavi
Road Bangalore Town Council &
R Anantharamaiah, Bangalore
against the assessment
of Rs 40 Rs 50 & Rs 60
& Rs 100 Kempapura Agrahara

In continuation
of this Office Letter No L 1858
dated 21-5-54 on the
above subject, I am directed to
request you kindly to furnish
a report in the matter
together with the decision

WD 0 016—GPB— 0 000 —14 8 53

arrived at an Out
Post at the time of
inspection

An early reply
is requested. The ~~records~~
Connected records mentioned
are returned herewith
for reference and
retransmission of duplicates

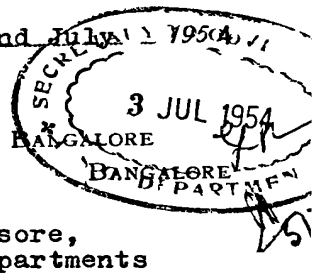
Yours
Asst Secretary

CORPORATION OF THE CITY OF BANGALORE.

No S L A 9/47-48

CORPORATION OFFICES,
BANGALORE

Dated 2nd July 1954



FROM

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE

To

The Secretary to Government of Mysore,
L S G and Planning Departments
Bangalore

SIR

Subject Appeal petition from Sriyuts Ramaiah and Lakshmiah, 76, Padarayana Gutte, Mysore Roa Bangalore, through their counsel Sri R Anantharaman, Advocate, Bangalore, against the acquisition of lands in Survey No 59 of Jodi Kempapur Agrahar

Sr MS 57

With reference to your letter No L 2841 dated 16-6-1 calling for a report on the above subject, I write to state that the connected record was forwarded to you in connection with the spot inspection arranged to be held by the Hon'ble Minister for Local Self Government and Planning Departments on 25-5-1954 and the same was not yet returned I request you kindly arrange to return the said file to facilitate to prepare and submit a detailed report in this behalf

Forwarded with compliments

(H S Seetharam,)
MAYOR

Yours faithfully,

(K Henjerappa,) 7
COMMISSIONER

TNL

SB 247/

L 4467/ark (14)
22->-54

To
The Commissioner CEB

Sir
CEB. Appeal petition from
Lts Ramnath & Lakshmidath
No Padmanabhan Gupta, Mysore Road
re Acquisition of 59
& odd Kempapur Agrahar

Ref your Lr no SLA 9/47-68
dated 2 7 54

I am directed
to forward herewith the
Connected records as
requested

The report called for
may kindly be furnished early

15/7/54

ASO I
for Secty
Rs

CORPORATION OF THE CITY OF BANGALORE

No S L A 9/47-48
Encl one note

CORPORATION OFFICES
BANGALORE
Dated 5th August 195

FROM

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,
BANGALORE

To

The Secretary to the Government of Mysore
Local Self Government & Planning Departments,
BANGALORE

SIR

Subject - Appeal petition from Sriyuts Ramaiah & Lakshmiah 76 Padarayanagutta, Mysore Road- re Acquisition of S No 59 of Jodi Kempapur Agrahar

---

With reference to your letter No L 446' .. dated 22nd July 1954 calling for a detailed report on the above subject, I forward herewith a detailed note on the subject explaining the full history of the case for favour of kind reference I request that appeal petition of Messrs Ramaiah & Lakshmiah may kindly be disposed off by Government early and necessary instructions issued to this Office in taking possession of the acquired portion of the land as the Secretary Central Muslim Association Mysore Bangalore has been requesting to put the land in their possession

If necessary the connected record will be sent when called for

Forwarded with compliments

Seetha Ramiah

(I S SEETHARAM)
MAYOR

Yours faithfully

Kempaiah

(P KEMPAIAH)
COMMISSIONER

VKR 5/8/-

N O T E

SUBJECT - Appeal petition from Sriyuts Ramaiah & Lakshmaiah, No 76 Padarayanagutta Mysore Road relating to acquisition of survey No 59 of Jodi Kempapur Agrahar for extending the Muslim Burial ground in Mysore Road

---

The Government in their order No L 9571-74/R A 23-47-23 dated 23rd September 1947 sanctioned the acquisition of 9-A -2G of land out of the above survey No for extending the Muslim Burial ground The Special Land Acquisition Officer who was authorised to take order for the acquisition issued notices to all the interested persons under sections 9 & 10 L A Act on 20th October 1947 calling them to file claim statements with title deeds Instead of filing claim statements many of the interested persons appealed to - Government for dropping the acquisition proceedings inrespect of the said S No

Then as desired by Government in their letter No L 11559/R dated 6th December 1947, the entire records were sent to for - reference and return In response, the Government in their further letter No 15803 dated 13th April 1948 had called for the opinion of the Municipal Councile~~r~~ whether the acquisition of the said S No could be ~~xxxxx~~ taken up by the City Improvement Trust Board, Bangalore inconnection with the formation of the Industrial saburbs But the erstwhile City Municipal Council at their meeting held on 28th June 1948 resolved to acquire the above S No in view of the urgency felt for the extension of the Muslim Burial grounds and this resolution was communicated to Government on 30th July 1948 Since th acquisition proceedings was delayed number of unauthorised pacca structures including the buildings of Messrs Ramaiah & Lakshamiah had come up on the area notified for acquisition

The matter was held up in Government for a long time till February 1952 In the meanwhile the Muslim Association, Bangalore was pressing the question of ~~xxxxxxxxx~~ acquiring the land early Then the Government in their order No L 14199 dated 1st March 1952 directed this Corporation to take further needful action to complete the acquisition proceedings for extending the Muslim Burial Ground Then fresh notices under Sections 9 & 10 L A ~~Act~~ were issued and

P T O

and served on the interested claimants to file their statements In response 6 claiments filed their claim statements including the petitioners Messrs Ramaiah & Lakshmiah Out of the said claiments, the petitioners as well as some of the other parties who had put up the structures on the land in question, objected on the proposed acquisition

After the completion of the enquiry, the spot was inspected by the Commissioner along with the Corporation Engineer on 8th January 1953 with due notices to the parties Then the Corporation Engineer, made a report on 22-1-1953 and stated that a large number of residential buildings had come up on the area of land under acquisition and the people of the locality were also complaining not to extend the Muslim Burial ground in S No 59 etc Apart from this, the petitioners Messrs Ramaiah & Lakshmiah during the course of recording their claim statement on - 5-11-1952 had stated that they had put up a ~~public~~ pucca terraced building costing about Rs 13,000/- on a portion of land proposed for acquisition and their property should not be acquired Thinking that the cost of acquiring the vacant land and the buildings existing thereon would be very high a note was placed before the Corporation recommending to drop the acquisition proceedings on this S No 59

The subject came up before the Corporation meeting held on 5th June 1953 for consideration and it was resolved that the acquisition should be proceeded with In accordance with the resolution of the Corporation the matter was persued after further inspection of the spot Since unauthorised structures had come up on the major portion of the land notified, it was thought feasable to acquire only the vacant portion of the land at a lesser cost and accordingly the award was passed for 1-1 ,34-G on 23rd January 1954 out of the extent of 9-1,2-G- notified in the Gazettee Then award and surrender notices were issued to all the claimants including the petitioners on 25th January 1954 with a request to hand over possession of their

eir shares in the acquired area of land In response, ome of the claimants handed over possession of their hares of lan and the petitioners had refused to do the ame On the report received from the Corporation Engineer, reference was made to the City Magistrate Bangalore under ection 47 L A Act vide this Office letter o L A-°/47-48 ated 16th April 1954 to enforce surrender on the petitioners ccordingly the City Magistrate passed an enforcement order o 225/54- dated 22rd April 1954 and issued necessary - nstructions to the District Superintendent of Police Bangalore orth to take possession of the land In the meanwhile, the titioners presented an appeal petition to Government and the on'ble Minister for Public Health and Local Self Government spected the spot on 23rd ~~March~~ May 1954

Just to save the building of the petitioners and also uildings of the other parties only 1-A 34-G vacant land was equired out of the notified area of 9-A 2-G,

Owing to the hard pressure put by the authorities of entral Muslim Association Mysore Bangalore and the keen ecessity felt for the extension of the Muslim Burial Ground, he vacant portion was acquired in o No 59 as there was no ther suitable land nearby Except the petitioners all the emaining claimants have handed over possession of their ares in the acquired land Their objection is that the urial ground should not abut the residential quarters with ecent houses

(Y H MUNIYAPPA), 5/8/52,
COMMISSIONER,
CORPORATION OF BANGALORE

LR 5/8/-

CORPORATION OF THE CITY OF BANGALORE

(19)

CORPORATION OFFICES,
BANGALORE

Dated 15th October, 19

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE
BANGALORE.

To

The Secretary to the Govt ,of Mysore,
L S G & Planning Departments,
Bangalore

Sir

Subject - Appeal petition from Sriyuts Ramaiah and Lakshmiah, No 76, Padarayanagutte, Mysore Road, regarding acquisition of portion of Survey No 59 of Jodi Kempapur Agrahar

In continuation of this office letter No L A 9/47-48 dated 6-8-1954 forwarding a detailed note on the above subject, I write to state that some of the claimants in this acquisition case has been pressing the matter of referring the case to the Civil Court along with award amount under Section 30, Land Acquisition Act, as it is pending for the last 9 months In the circumstances reported in the note on the subject, the objection of M/s Ramaiah and Lakshmiah against the acquisition does not hold good at this stage Apart from this the General Secretary, Central Muslim Association of Mysore, Bangalore, has been sending frequent reminders to hand over possession of the acquired portion of the land to the Association, as the same is urgently required for the purpose for which it is acquired

In the above circumstances, I request you kindly to dispose of the appeal petition of the said parties as early as possible and to issue necessary instructions to this office to take possession of the acquired land and to deposit the award amount in the Court for apportionment

Forwarded with compliments,

(SEETHARAM, H S)
MAYOR

SV

Yours faithfully,

(K HENJERAPPA) 15/10
COMMISSIONER
15/10

5074
ml

The enclosed letter DW 3461/ml has been referred to the P A to the Minister for reply on 16-9-54 for orders whether this may be replied to him or the reply may be awaited

28/10

The file may kindly be returned

P A to Minister

ml

2597

2597

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
No

K. Henjerappa, BA, BL,
COMMISSIONER

CORPORATION OFFICES
BANGALORE

D O No S L A 9/47-48

Dated 30th December 1954
3rd Jan 55

Dear Sri Krishnan,

Subject Appeal petition from Sriyuts Ramaiah and Lakshmiah, No 76, Padarayanagutta, Mysore Road, against the acquisition of portion of Survey No 59, Jodi Kempapur Agrahar, for the extension of Muslim Burial Ground in Mysore Road

In inviting your kind reference to this office letter No S L A 9/47-48 dated 6-8-1954 and subsequent reminder of even number dated 18-10-1954 on the above subject, I write to state that some of the claimants who have handed possession in this acquisition case have been pressing the question of referring the matter to the Civil Court along with the compensation amount under section 30 Land Acquisition Act as the same is pending for the last 10 months

Apart from this, the General Secretary to the Muslim Association in Mysore, has been pressing the matter of handing over possession of the acquired land to the Association to enable to bury the dead bodies

In the above circumstances, I request you kindly to dispose off the appeal petition of the said parties and to issue necessary instructions to this office to take possession of the land and to refer the case to the Civil court under section 30 Land Acquisition Act

Yours sincerely,

Sri B.M Krishnan, B.A,
Secretary to Government of Mysore,
Education and L S G Departments,
Bangalore

No main file No 5074 has been sanctioned vide Number 189 on 4-11-54 Its return will be awaited

The Hon'ble Minister for Health,

Government of Mysore, B a n g a l o r e

Respected Sir,

We the undersigned Members of the Village Panchayet and residents of Padarayanapura, most humbly and respectfully beg to bring the following few lines to your kind and sympathetic consideration and pray for orders -

We understand that the Government have been contemplating to acquire survey No 59 of Padarayanapura for the extension of the Mahammadan burriah Ground, Mysore Road, Bangalore City

We like to bring to your kind notice that this locality consists of 2000 dwelling houses The situation of the present burrial ground itself is very near to the living quarters say about 300 feet That the land now proposed to be acquired i e survey No 59 for the extension of the burrial ground (Mahammadan burrial ground even though is adjoining to the present burrial ground is very near to the locality say about 75 feet The population of this locality is more than 10000 Such being the case the situation of a burrial ground very near to the living quarters is not advisible Hence we suggest that the land situated far away on the other end of the burrial ground may be acquired Hence the suggestion of exterding the Mahammadan burrial ground in survey o 59 may kindly be put an end to Hope your goodself will comply with our request and thanking you

Bangalore City
20/4/1955

Yours faithfully

B Veeranna Gowda
C Chowdaiah
R Kempanna

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Appendix F G —1]

SUBJECT - Appeal ~~against~~ petition dated 6-5-54 for supply of Kannada & Lakshmiah, against the acquisition of portion of Sy. No. 59, Govt Kempapura Agrahara for the extension of Krishna Bovral Ground sanctioned in Notification No L 9572/ml 23-47 24 dated 23-9-1947

(25)

Diary No of letter replied to 7247

Mysore Government Secretariat

( )

the *195*

Date of issue

Signed b

List of enclosures

Copied by

Examined by

Section CA

File No 4 55

Serial No 22

30/6

No L 1328

To 2-5-55

The Commissioner City Muny Corpn

Sir

Ref: Correspondence ending with your letter no Sh A 9/47-48 dated 30-12-54/3-1-55

~~With reference to the above~~, I am directed to state that twenty nine persons have shares in the acquired extent measuring in all one acre and thirty four guntas and some of them are reported to

have handed over possession
of two shares & large
number of residential
buildings have come up
in SW 59 and these buildings
abut the area acquired
for the burial ground
Another residential locality
known as Padatrayanagutte
is also in close vicinity
of the land. The residents
of this locality strongly
object to extending the
burial ground in SW 59

Having regard to
the existence of a large
number of dwelling houses
in the locality, the land
now acquired is ~~east~~ most
unsuitable for burial
purposes. It is also undesirable
to have a burial ground
in close vicinity of dwelling houses

G S App F G 3]

MYSORE GOVERNMENT
SECRETARIAT

(Continuation sheet draft form)

(28)

The acquisition order is Cancelled if withdrawal from acquisition is not possible, such portions of the land which have been taken possession of may be reconveyed to the owners. ~~The~~ You are Inspr Commissioner ~~A.C.~~ is requested to take necessary further action in the matter

27/4

Y. L

27/4

Addl Secy

Govt

(29)

GOVERNMENT OF MYSORE

No L 1328/CM 4-53-22

Mysore Government
General and Revenue Secretariat,
Bangalore dated 2-5-1955

From

THE SECRETARY TO THE GOVERNMENT OF MYSORE
Education and LOCAL SELF GOVERNMENT DEPARTMENT

To

The Commissioner,
Corporation of the City of Bangalore
thro' the Mayor

Sir

Subject Appeal petition dated 19-5-54 from Sriyuths Ramiah and Lakshmiah against the acquisition of portion of S No 59 Jodi Kempapura Agrahara for the extension of Muslim Burial Ground sanctioned in Notification No I 9572/ML 23-47-24 dated 23-9-1947

Reference Correspondence ending with your letter No SLA 9/47-48 dated 30-12-1954/3-1-55

I am directed to state that 29 persons have shares in the acquired extent measuring in all one acre and thirty four guntas and some of them are reported to have handed over possession of their shares large number of residential buildings have come up in S No 59 and these buildings abut the area acquired for the burial ground Another residential locality known as Padarayanagutte is also in close vicinity of the land The residents of the locality strongly object to extending the burial ground in survey No 59

Having regard to the existence of a large number of dwelling houses in the locality, the land now acquired is most unsuitable for burial purposes It is also undesirable to have a burial ground in close vicinity of dwelling houses The acquisition order is therefore cancelled If withdrawal from acquisition is not possible, such portions of the land which have been taken possession of may be reconveyed to the owners You are therefore requested to take necessary further action in the matter

Yours faithfully,

(V Hanumanthappa)
for Secretary to Government,
Education & L S G Departments

knr-3/27 4

15-80 CM 4-55- 25- (30)

12-5-55-

Endorsement

Granted to myself Ramiah Lakshmiah Teagh Mine Counsel Sri R Branthoraman ~~Advocate~~ BSc LLB Advocate 4th Cuddapah Bangalore

Sub Appeal petition dated 19-5-54 against the acquisition of Portion of S.No. 59 of Kempapura Agrahara acquired for Extension of Kadiam Municipal ground

The petitioners are hereby informed that the orders have been issued to the Commissioner Corp for ~~reconveying~~ withdrawal from acquisition or to reconvey the land ~~if possession~~ to the owners if possession has been taken already ~~he may therefore be approached for further action in the matter~~

11/5

Asst Secy

(2)

L 1581
12-5-55

Cfy Dhu Commr CEA Wash
to Major [illegible]
[illegible] ncmh mahan q/ms Ofee
letter no L 1328/CM 4-55-22
Dated 2-'55

[illegible]
Sd

and concerned authorities of Corporation, it was decided that it is not desirable to have a burrial ground at the place and the acquisition of land be cancelled Accordingly the acquisition of the property is also dropped ~~in~~ September 1955

Certain members of the Central Muslim Association of Mysore interviewed the then Chief Minister on 6th July, 55 and 18th May 1956 and requested that the land may be handed over to them as there is no space for the ~~burrial~~ burial of the dead bodies The Chief Minister ordered that he would inspect the spot in question before a final decision is taken No inspection has so far been made in this behalf ~~A similar question~~

A similar question was moved by Sri Syed Ghouse Mohiddin in the Legislative Council - ~~in the sessions of~~ ~~- 1957~~ Semanj and it was replied that the question of giving a suitable land for extension of Muslim ~~burrial~~ burial ground at the place will be examined ~~for want of~~ a suitable land ~~near by~~, no action ~~has been~~ was taken to grant land for this purpose The Commissioner ~~will be~~ requested to arrarge to give some land for the Muslim burrial ground as early as possible if available

If no land is available in the same area some other land should have to be found else where and the Commissioner may be requested to examine this aspect

Government has already been requested to select a suitable place The matter is receiving attention

Mysore legislative Assembly

Burial Ground to Muslims
Bangalore city

NB
18/V

Q No 2130 by Sri
Mahmood Sharieff (Broadway)
will the Govt be pleased
to state

Draft
Replies

(a) The action taken in respect of questions tabled for December Session of 1956 of the regarding grant of land for Muslim burial ground

(a) the question of selecting a suitable plot is ~~being~~ still under consideration

(b) Whether they are aware that no land has yet been granted

(b) Yes

(c) Whether it is not a fact that this question is ending for about only years

(c) Yes

(d) Whether they would direct the Corporation of the city of Bangalore now at least to grant a suitable land in

(d) In view reply clause it does not arise

Views of the fact that arise
the present burial
ground is already
filled up

under Secy to Govt,
W L SG & P H Repts

Mysore Legislative Assembly

Burial Ground to be allotted in Bangalore City

Q 2130 by Sri Mohammad Sharriff (Broadway)

Will the Government be pleased to state

a) the action taken in respect of questions tabled for December session of 1956 of B C regarding grant of land for Muslim burial ground,

b) whether they are aware that no land has yet been granted,

c) whether it is not a fact that this question is pending for about twenty years,

d) whether they would direct the Corporation of the City of Bangalore now at least to grant a suitable land in view of the fact that the present burial ground is already filled up

Draft replies by the Minister, Law, Labour and Local Self Government

(a) The ~~question of selecting a~~ Corporation of the City of Bangalore has been requested to select a suitable ~~plot is still under consideration~~ site,

(b) ~~No.~~ Yes,

(c) ~~Yes;~~ No,

(d) In view of reply to clause (a) it does not arise

Under Secretary to Government,
L S G and P H Department

Draft
mm 18/8

MYSORE LEGISLATIVE ASSEMBLY

Burial Ground to Muslims in Bangalore City

Question No 2130 by Sri Mohmood Shariff(Broadway)

Will the Government be pleased to State

a) the action taken in respect of questions tabled for December Session of 1950 of L C regarding grant of land for Muslim Burial ground,

b) whether they are aware that no land has yet been granted,

c) whether it is not a fact that this question is pending for about twenty years,

d) whether they would direct the Corporation of the City of Bangalore now at least to grant a suitable land in view of the fact that the present burial ground is already filled up?

Draft replies by the Minister for Law, Labour & Local Self Government

a) The Corporation of the City of Bangalore has been requested to select a suitable site,

b))

c)) Yes

d) ~~(d)~~ In view of reply to clause (a) does not arise.

Under Secretary to Government,
H & P H Dept

Draft

ann5/9-